

REMARKS

Reconsideration of the application is respectfully requested.


The final Office Action dated June 12, 2007 rejected claims 1-30 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,477,702 to Saxe et al. ("Saxe") in view of U.S. Patent Publication No. 2004/0255273A1 to Chan ("Chan"). While conceding that Saxe does not disclose or suggest "b) automatically applying a set of rules to said program flow analysis graphs, including at least performing a reachability analysis for at least removing one or more edges to reduce reachability", the Office Action alleges that Chan supplies that element. In the response submitted on August 21, 2007, applicant disagreed with the Office Action's allegations and traversed the rejection in detail.

While applicant still maintains the position asserted in that response dated August 21, 2007, applicant in this response and amendment is amending independent claims 1, 20 and 30 to further clarify what is being claimed. Support for the amendment can be found at least on page 8, line 28 – page 9, line 1 of the specification as originally filed. Applicant believes that independent claims 1, 20 and 30 as amended and their respective dependent claims are unobvious over the cited references at least for the same reasons proffered in the applicant's response dated August 21, 2007, and further because Saxe and Chan do not disclose, suggest or teach generating program graphs representing "runtime characteristics of" said code.

Applicant is not conceding by this amendment that the previously presented claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

In view of the foregoing, applicant respectfully requests reconsideration, withdrawal of all rejections, and allowance of all pending claims. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that he call applicant's attorney at (516) 742-4343.

Respectfully submitted,



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